



Attorney Docket No. 1310

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Duvick, et al. Date: April 11, 2003
Serial No.: 10/047,825 Group Art Unit: 1638
Filed: January 16, 2002 Examiner: Ibrahim, Medina A.
For: MAIZE PEROXIDASE GENES AND THEIR USE FOR IMPROVING
PLANT DISEASE RESISTANCE AND STALK STRENGTH

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**FILING OF AN INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.97(c),
AND CERTIFICATION UNDER 37 CFR §1.97(e)(1) OR (e)(2)**

Information Disclosure Statement. The attached list of citations on PTO Form 1449 is being submitted under the provisions of 37 CFR §1.56 and §1.97 in order to comply with the duty of disclosure. Their inclusion herein should not, however, be construed as an admission that any particular cited reference is effective prior art or that it discloses or renders obvious any aspect of the claimed invention. Copies of each are enclosed, except for those references already part of the filewrapper. This statement is being filed with the required certification and without any fee, in accordance with the provisions of 37 CFR §1.97(c), before the mailing date of a final office action under §1.113, before the mailing date of a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application

Statement of Certification. The undersigned hereby certifies either:

- (a) that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a

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Group Art Unit: 1638

counterpart foreign application not more than three months prior to the filing of this statement, or

(b) that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,

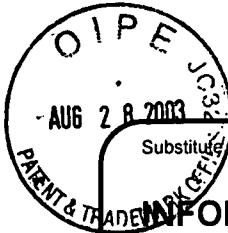


Claire L. Moxon
Agent for Applicant(s)
(See: LIMITED RECOGNITION
UNDER 37 CFR §10.9(b)
SUBMITTED 6-17-2003)

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

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of

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Complete if Known

Application Number	10/047,825
Filing Date	01/16/2002
First Named Inventor	Jon P. Duvick
Art Unit	1646
Examiner Name	

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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
	A22	WO 98/56921	12-17-1998	Dow Agrosciences LLC	Entire document	
	A23	EP 0 392 225	10-17-1990	Ciba-Geigy AG	Entire document	
	A24	WO 98/27218	06-25-1998	Novartis, et al.	Entire document	
	A25	WO 01/38485	05-31-2001	Mississippi State University	Entire document	

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	A26	ISHIGE F, ET AL., "Peroxidase precursor (EC 1.11.1.7)", Database Accession No. q43854 XP 002226410, (1996)	
	A27	WALBOT V., "Maize ESTs from various cDNA libraries sequenced at Stanford University", Database Accession No. aw282383 XP002226411, (2000)	
	A28	THEILADE, ET AL., "Barley seed peroxidase BP 2 allele", Database accession no. z23131 XP002226412, (1993)	
	A29	WEN, ET AL., "Expressed Sequence Tags from B73 Maize Seedlings", Database accession no. aa979912 XP002243768, (1998)	
	A30	ROSS, A.H., "Peroxidase precursor (EC 1.11.1.7)", Database accession no. q43416 XP002243770, (1996)	
	A31	ROSS, ET AL., "Molecular cloning and characterization of peroxidases from buffel grass (<i>Cenchrus ciliaris</i> L.)", Plant Science, 110: 95-103 (1995)	

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OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	A32	ASSIGBETSE, ET AL., "Bacterial-induced peroxidase precursor (EC 1.11.1.7)", Database accession no. q9xgv6 XP002243771, (1999)	
	A33	AMOR, ET AL., "Anoxia pretreatment protects soybean cells against H ₂ O ₂ -induced cell death: possible involvement of peroxidases and of alternative oxidase", FEBS Letters, 477:175-180, (2000)	
	A34	TEICHMANN, ET AL., "Cloning and biochemical characterization of an anionic peroxidase from Zea mays, Eur. J. Biochem, 247:826-832 (1997)	
	A35	BREWBAKER, ET AL., "Genetic polymorphism of 13 maize (Zea mays) peroxidases", J. of Heredity, 76:159-167 (1985)	
	A36	SASAKI, T., ET AL., "Putative peroxidase Oryza sativa", Database accession no. q94dm6 XP002226413, (2001)	
	A37	HARRIS LJ, ET AL., "Zea mays EST", Database accession no. bg837556 XP002226414, (2001)	

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